

Online Safety Charter

Feedback to the Department of Communications and the Arts

April 2019

**Prepared by: Federation of Parents and Citizens Associations
of New South Wales**

FEDERATION OF PARENTS AND CITIZENS ASSOCIATIONS OF NEW SOUTH WALES

Locked Bag 5114, PARRAMATTA NSW 2124

Telephone: 1300 885 982

Fax: 1800 655 866

Website: www.pandc.org.au

ABN: 37 439 975 796

Introduction

Federation of Parents and Citizens Associations of New South Wales (P&C Federation) is thankful to Department of Communications and the Arts for this opportunity to contribute to the Child Safety Charter. P&C Federation supports the position of individual educational and developmental needs met by a range of differential services expressed through appropriate and well-planned curricula, programs and environments conducted by sensitive and well-trained personnel in conjunction with parents¹ and families.

The core belief of P&C Federation is that the education of our children and youth is the most fundamental means of ensuring individual and collective success and, as a result, our greatest national resource.

P&C Federation Feedback

1. We agree with the Charter's statement in section 2.3 that parental controls should be "*easy to find and difficult to circumvent*", however it is worth emphasising that ease for parents is a lower priority than the safety of children. Section 2.3 of the Charter also states that "*Verifying parental consent should require more than just ticking a box*", however the Charter could further specify some minimum steps to verify parental consent. One method is to require companies to collect age verification, via electronic signatures or collecting proof of age. For instance, when verifying parental consent when opening accounts for children, Microsoft requires either an e-signature or filling out an age verification form that involves providing identification documents that includes a photo, birthdate, full name.²
2. Section 4.1 of the Charter states that technology firms should provide regular reports showing compliance with the Charter, including localised Australian versions of the reports. We suggest the Charter could further specify a timeframe for these reports, and stipulate that they be publicly available. We would suggest such reports be published minimally once a year.
3. Our primary concern is that the Charter will not be mandatory and there will be no sanctions on technology firms for non-compliance. Without any enforcement capacity, the Charter will be essentially a toothless document. We suggest that implementation of the Charter be accompanied by amendments to the *Enhancing Online Safety Act 2015* that give the eSafety Commissioner the capacity to monitor compliance and to penalise non-compliance by technology firms. Part 4 of that Act allows the eSafety Commissioner to monitor compliance of social media services with the basic online safety requirements,

¹ "Parent" refers to anyone with legal care of a child, such as a parent, carer or legal guardian

² Parental consent and Microsoft child accounts – at <https://support.microsoft.com/en-au/help/4090274/microsoft-account-parental-consent-and-child-accounts> (as of 20 February 2019)

and to issue notices to social media services to remove cyber-bullying material. This would be the most logical section of the Act to amend to allow the Commissioner to monitor and enforce compliance with this Charter. We also suggest section 21 of that Act, which defines the basic online safety requirements for social media services, be amended to incorporate the Charter.

